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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To support and strengthen the fighter aircraft capabilities of the Air Force,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BACON introduced the following bill; which was referred to the Committee
on _____

A BILL

To support and strengthen the fighter aircraft capabilities
of the Air Force, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fighter Force Preser-
5 vation and Recapitalization Act of 2023”.

1 **SEC. 2. MINIMUM NUMBER OF AIRCRAFT AND FIGHTER**
2 **SQUADRONS IN THE AIR NATIONAL GUARD.**

3 Section 9062 of title 10, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(1)(1) The aircraft inventory of the Air National
7 Guard shall include not fewer than 25 fighter aircraft
8 squadrons each of which shall have a minimum of 18 pri-
9 mary aircraft authorized.

10 “(2) The Secretary of Defense may waive the require-
11 ments of paragraph (1) with respect to individual aircraft
12 if the Secretary—

13 “(A) certifies to the congressional defense com-
14 mittees that compliance with such requirements is
15 not feasible due to extraordinary circumstances; and

16 “(B) includes with such certification an expla-
17 nation of such circumstances.”.

18 **SEC. 3. PLAN ON FIGHTER FORCE RECAPITALIZATION.**

19 (a) **PLAN REQUIRED.**—The Secretary of the Air
20 Force, in consultation with the Director of the Air Na-
21 tional Guard, shall develop a fighter aircraft recapitaliza-
22 tion plan that provides for—

23 (1) the replacement and modernization of Air
24 National Guard fighter squadrons at a rate that
25 shall ensure the full, one-for-one, recapitalization of

1 Air National Guard fighter squadrons by the end of
2 fiscal year 2034; and

3 (2) the fielding of the Next Generation Air
4 Dominance family of systems in the Air National
5 Guard.

6 (b) SUBMITTAL TO CONGRESS.—Not later than 120
7 days after the date of the enactment of this Act, the Sec-
8 retary of the Air Force shall submit to the congressional
9 defense committees the plan developed under subsection
10 (a).

11 (c) CONGRESSIONAL DEFENSE COMMITTEES DE-
12 FINED.—In this section, the term “congressional defense
13 committees” has the meaning given that term in section
14 101(a)(16) of title 10, United States Code.